

FISCAL NOTE

HB 128 - SB 376

February 26, 2007

SUMMARY OF BILL: Requires a driver of a vehicle involved in an accident resulting in death or injury to be tested to determine alcohol or drug content of blood if a law enforcement office has probable cause to believe that the driver has committed DUI, vehicular assault, vehicular homicide or aggravated vehicular homicide.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$79,100 / Incarceration*

Increase Local Govt. Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

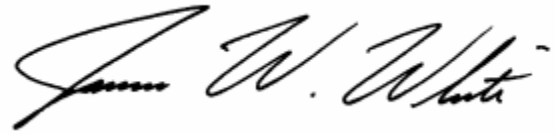
Assumptions:

- Five additional persons will be convicted of the Class D felony of vehicular assault in the first year as a result of this bill. According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth will result in one additional offender in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on six offenders.
- Six additional offenders will serve 0.6 years (219.15 days) for vehicular assault as a result of this bill. According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate for 0.6 years is \$13,184.06 (\$60.16 x 219.15 days). The total additional operating cost for six offenders is \$79, 104.36 (\$13,184.06 x 6).
- There will not be a sufficient increase number of prosecutions relating to DUI convictions for local governments to experience any significant increase in revenues or expenses.
- Most persons involved in accidents resulting in death are currently compelled to be tested for alcohol or drug content of blood.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director